

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 25-80890-CIV-MATTHEWMAN

DAVID MORRIS CLAYMAN,

Plaintiff,

v.

SCOTT BESSANT, in his Official Capacity as Secretary
of the Treasury, et al.,

Defendants.

**ORDER GRANTING PLAINTIFF’S MOTION FOR EXTENSION OF TIME ON
REVISED PLEADING [DE 73]**

THIS CAUSE is before the Court upon Plaintiff David Morris Clayman’s (“Plaintiff”) Motion for Extension of Time on Revised Pleading (“Motion”) [DE 73]. Defendants have filed a Response in opposition to the Motion [DE 74], and the Court is able to rule without the benefit of a reply.

The Court has carefully reviewed the Motion and Response, as well as the entire docket in this case and the relevant case law. Plaintiff is seeking additional time to file his Second Amended Complaint, which was due to be filed on or before December 5, 2025. *See* DE 71 at 15. Plaintiff filed his Motion on December 9, 2025, and Defendants argue that he has not established good cause or due diligence as required by Federal Rule of Civil Procedure 16(b) and the relevant case law. [DE 74 at 1]. Defendants additionally contend that they would be prejudiced if Plaintiff is allowed yet another extension to file an amended complaint because Plaintiff has been sending emails to Defendants’ counsel of a somewhat hostile or threatening nature and also because any amendment would be futile. *Id.* at 2–3.

First, the Court must take into account the fact that Plaintiff does not receive electronic Notices of Electronic Filings, so Federal Rule of Civil Procedure 6(d) applies. Second, in light of the fact that Plaintiff is proceeding *pro se* and seems to genuinely believe that he has been diligent, the Court makes a finding of good cause for the relief sought. Third, Defendants have not established any actual prejudice; however, the Court will forbid Plaintiff from sending harassing emails, as stated below.

Based on the foregoing, it is hereby **ORDERED and ADJUDGED** as follows:

1. Plaintiff's Motion [DE 73] is **GRANTED**.
2. Plaintiff is required to file his Second Amended Complaint on or before **January 5, 2026**.
3. Defendant claims that Plaintiff has sent hostile, threatening or harassing emails to Defendant's counsel. Without deciding that issue, the Court directs and orders that no party or counsel shall engage in any communications which are hostile, threatening or harassing. All parties and counsel shall act in a professional and courteous manner when communicating orally or in writing. Violation of this Order shall result in sanctions as deemed necessary and appropriate.

DONE AND ORDERED in Chambers at West Palm Beach in the Southern District of Florida, this 11th day of December 2025.


WILLIAM MATTHEWMAN
Chief United States Magistrate Judge